



# **Sexuality, Sex and Gender Diversity Advisory Committee**

## **TERMS OF REFERENCE**

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### 1. Introduction and background

Darebin's Sexuality, Sex and Gender Diversity (SSGD) Advisory Committee aims towards realising and developing equality for all in Darebin regardless of sexuality, sex or gender identity (in Council's view, this is inclusive of intersex status). The Committee supports Darebin City Council's commitment to achieving social inclusion, recognising sexual orientation and sex and gender diversity as significant aspects of community diversity, and to enhancing the capacity of Council to address barriers to equality that lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) residents face.

The establishment of Darebin's SSGD Advisory Committee is in response to the identified need to:

- Build Council's organisational competence in working with LGBTIQ communities through a better understanding of issues and facts
- Support Council's community engagement with local LGBTIQ groups and communities
- Build Council staff confidence in designing accessible and equitable services, policies and programs that engage LGBTIQ communities
- Engage Council in a discussion about its role in addressing and reducing homophobia, biphobia and transphobia and other forms of sex or gender identity based discrimination in the community

At a Council meeting held on 15 August 2011, Council made the resolution to:

[...]

*(3) Establish a Sexual Orientation Advisory Committee and advertise for community members to apply and that Council receive a further report with the proposed members and terms of reference.*

[...]

The Darebin Same-Sex Attracted and Gender Diverse advisory committee was established in response to this resolution on 5 March 2012.

At members' request, and to use more inclusive language that reflects the fact that everyone in our community has a sexuality and sex and gender identity, the committee changed its name to become the Sexuality, Sex and Gender Diversity Advisory Committee (Council resolution 15 April 2013).

### 2. Purpose and objectives of SSGD Committee

The purpose of Darebin's SSGD Advisory Committee is to advise Council on issues and barriers to equality affecting people in the City of Darebin who identify as, lesbian, gay bisexual, transgender, intersex or queer (LGBTIQ). Members of Darebin's SSGD Advisory Committee will also promote and advocate for equality and social inclusion of the SSGD community within the wider context of the Darebin community, and raise awareness about sexuality and sex and gender diversity as facets of social diversity.

#### 2.1 Policy context

Darebin's SSGD Advisory Committee supports Darebin City Council's goal articulated in the Council Plan 2013-2017 of a "Healthy and Connected community" where people live free from discrimination. It contributes to upholding Council's broad understanding of diversity highlighted in the Council Plan's Diversity Statement:

*"The City of Darebin is today home to people of diverse races, ethnicities, faiths and beliefs, abilities, gender, talents and aspirations, sexualities and sex and gender identities, age and occupations, income and lifestyles. The community of Darebin cherishes this diversity and values it as an important civic asset. Council plays a role in promoting, encouraging, fostering and harnessing this asset and giving it the opportunity to flourish and be celebrated, acknowledged and respected."*

Darebin's SSGD Advisory Committee also supports Council's commitment to complying with its obligations under the *Victorian Charter of Human Rights Act 2006*, the *Victorian Equal Opportunities Act 2010* and federal anti-discrimination law, notably the *Sex Discrimination Amendment (Sexual Orientation, Gender Identity Intersex Status) Act 2013*.

Finally, the committee supports the implementation of Darebin's *Equity and Inclusion Policy 2012-2015* and *Community Health and Wellbeing Plan 2013-2017*, both of which reflect Council's commitment to principles of equity, diversity, social justice and freedom from discrimination, as well as the implementation of the *Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-15*

## **2.2 Guiding principles**

The guiding principles of Darebin's SSGD Advisory Committee are grounded in a social inclusion and human rights based framework, affirming:

- That all residents who live, work or study in Darebin have the right to equal access to services, projects and programs initiated by Darebin City Council and to participate in all aspects of civic life, regardless of sexuality, sex or gender identity
- The rights of all members of LGBTIQ communities in Darebin to observe their own sexuality and cultural practices without fear of discrimination or any form of social disadvantage
- The need for continued awareness raising, advocacy and community based action to address barriers to equality facing members of LGBTIQ communities

## **2.3 Objectives**

The objectives of Darebin's SSGD Advisory Committee are:

- To provide Council and other local community-based service providers with an effective channel of communication to reach LGBTIQ communities
- To promote recognition and enhance understanding about sexuality and sex and gender diversity as aspects of social diversity and about barriers to equality facing LGBTIQ communities
- To represent the specific requirements and interests of LGBTIQ residents to Council and advise Council on these
- To contribute to the development, implementation, monitoring and evaluation of Council policies, projects and services that impact or that may potentially impact LGBTIQ communities
- To contribute to the implementation and evaluation (and further planning and development as required) of the Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-15.

### **3. Membership**

Membership of SSGD Advisory Committee will seek to be reflective as much as possible in terms of representation of the various groups that form the LGBTIQ community.

Membership will comprise of:

- A nominated Darebin Councillor
- One Council officer, and others as required, whose role supposes understanding the specific challenges and barriers to equality facing LGBTIQ communities and who can implement actions to address issues raised by the Committee
- A minimum of two representatives from community-based organisations that support LGBTIQ communities on a range of issues
- Up to ten community members representing the diversity of the Darebin LGBTIQ community

Apart from Councillor(s) and officers, the committee's membership should not exceed twelve.

#### **3.1. Membership diversity**

The committee should reflect the full diversity of the Darebin LGBTIQ community, first in terms of sexualities and sex and gender identities and second in terms of age, ability, Indigenous status, cultural and linguistic background, education and income levels, employment status, carer role, etc. This will be a key consideration in the selection and recruitment of members. The Committee will seek to build and reflect diversity within membership and be inclusive in practice.

#### **3.2. Reimbursement of members' expenditures**

To allow diverse participation, Council will support participation through provision of assistance for childcare, transport or other specific needs (interpreting, assistant support...) as required.

Application for assistance should be made at the expression of interest stage (see 4.1 below), but can also be made at any time if changing circumstances mandate it.

#### **3.3. Role of members**

Members of the SSGD Advisory Committee will fulfil their role by:

- Providing input, views and advice on the implementation of the *Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2015* and contributing to the planning, implementation and evaluation of a range of projects where relevant
- Advising Council on barriers to equality facing LGBTIQ communities with a view to supporting Council in enhancing all aspects of its business including the development of new policies and strategies, projects, services, communications and workforce development
- Assisting in shaping and promoting a range of projects (e.g. Council's participation at Midsumma Carnival and Pride March and celebrations of International Day against homophobia, biphobia and transphobia),
- Facilitating Council's engagement with the community and assisting Council to connect with Darebin LGBTIQ residents and to take into account, balance and reflect the different perspectives and requirements of all groups that form the LGBTIQ community

## **4. Terms and method of nomination**

### **4.1 Method of nomination**

Nomination for the appointment of members of the SSGD Advisory Committee will be called through an expression of interest process. The process will be advertised widely through appropriate promotion (including a public notice in local newspapers, promotion on Council's website...) and by communication to LGBTIQ organisations and community groups and other community groups.

- All appointments will be determined by Council.
- If a member does not attend at least two (2 i.e. half of the minimum number of meetings to be held) meetings per year without prior notification being given, their position may be considered vacant.
- Irrespective of the reason for it, if a vacancy occurs, it will be filled at the discretion of Council and made effective through a letter signed by Council's Chief Executive. Members nominated to fill a vacancy are appointed for the remainder of the term of current members only.

### **4.2 Terms of appointment**

Appointments to the Committee will be for a period of three years. Three months prior to the end of this term, the supporting officer will review appointment and a subsequent expression of interest will be invited. Members will have the option to reapply for a further three years (once only). All nominations will be subject to Council approval.

## **5. Meetings and procedures**

The SSGD Advisory Committee will meet at Council's offices a minimum of four (4) times a year, with the possibility to organise additional meetings as required.

Dates and times of the meetings will be determined by Council, taking into consideration members' constraints. Assistance with attendance might be offered (see 3.2. above) to allow diversity in participants.

### **5.1. Chairperson**

A nominated Councillor will act as Chair of the Committee. In the absence of Councillors at a meeting, the Committee members will determine to appoint a Chair for the purposes of conducting the meeting.

The responsibilities of the Chair include:

- Guiding the meeting according to the agenda and time available,
- Facilitating fruitful discussions, with care not to enter into operational matters and ensuring members understand these are outside of the scope of the committee,
- Assisting members to abide by the Code of conduct (see 5.4. below), including by taking action in case of breaches,
- Reviewing and approving minutes before distribution as needed,
- Where appropriate, updating Council on the progress and discussions of SSGDAC, e.g. through Councillors' reports at Council meetings.

### **5.2. Officer support**

Darebin City Council's Diversity Policy Officer will take responsibility for providing executive support to the Committee including provision of meeting agendas and minutes.

Committee agendas will be forwarded to SSGDAC members by email no later than one week (five working days) before a scheduled meeting.

Minutes will be provided to Committee members no later than two weeks (ten working days) after a scheduled meeting, including details of proceedings and clearly expressed resolutions (where applicable), and including relevant documentation as attachments where necessary.

Records of agendas and minutes will be maintained in accordance with *Public Records Act* requirements.

### 5.3. Recommendations to Council

The role of the Darebin Sexuality, Sex and Gender Diversity Advisory Committee is to provide **advice** to Council. As such it does not have any decision-making powers.

Where the committee wishes to make recommendations to Council, a consensus of all members present will be sought.

In the absence of such consensus, and provided there is a **quorum of at least half of the members** (apart from Councillor(s)/Chair and officer(s)) present at the meeting, the recommendation will be put to a vote with the majority recommendation being endorsed as the committee's. Officers can never take part in the vote. In the event of a tie, the Chair may exercise a casting vote.

It is up to the supporting officer to follow up on the Committee's recommendation, including deciding on the most appropriate means to report back on it to Council or internal departments.

The Committee **does not have an operational role and may not direct Council staff** in the performance of their duties.

### 5.4. Conduct of Committee members

Members will:

- act honestly and treat others with respect. Failure to do so will be dealt with by the Chair as appropriate
- exercise reasonable care and diligence
- not make improper use of their position or make improper use of information acquired because of their position

Where there is a requirement for confidentiality, this is to be noted in the minutes if the matter arises during a meeting, or made clear to members if arising in communication outside of a meeting (e.g. provision of a draft policy ahead of a meeting, for discussion and feedback at the meeting), and addressed accordingly.

Members must disclose a conflict of interest in relation to any matter the Committee is concerned with or that the committee will, or is likely to, consider or discuss. The conflict of interest, including the nature of the relevant interest, must be disclosed before the matter is considered and must be recorded in the minutes.

Members of Darebin SSGD Advisory Committee are **not authorised to speak to the media or make public statements on behalf of the Committee (and much less Council)**, unless the member is a Councillor. In that case, any engagement with the media will be in accordance with Council's standard media and communications policy.

Members are authorised to disclose general information such as objectives of the Committee, membership procedures, list of activities and information in regard to any issues that have already been previously dealt with and approved in the Committee's discussions.

Members must ensure that new issues raised by the public or community are brought back to the Committee for consideration before any public information or response is provided in relation to the issue.

## **6. Monitoring and evaluation**

Operations of the SSGD Advisory Committee will be evaluated annually via a number of methods (including reflective self-evaluation of the Committee) to ensure that the Committee is achieving its objectives. Results of the evaluation will be reported in an annual progress report submitted to Council detailing the Committee's activities and achievements.

The Terms of Reference for the Committee are also required to be reviewed annually no later than October (prior to the Statutory meeting) and any changes are to be endorsed by Council.